

HARBOROUGH DISTRICT COUNCIL  
MINUTES OF THE EXECUTIVE MEETING

held in the Council Chamber, The Symington Building, Adam and Eve St, Market Harborough

held on 9 February 2015,

commencing at 5.00p.m.

Present:

Cllr Pain,  
Councillors: Bremner, Dann, Hallam, King and Liquorish.

Officers: Ann Marie Hawkins, Beth Murgatroyd, Norman Proudfoot,  
Simon Riley and Verina Wenham.

362 PORTFOLIO HOLDER ACTIVITY

Community Safety and Regulatory

Cllr Liquorish announced that he had attended the following:

22 January He had chaired the Harborough Community Safety Partnership

26 January he had attended a briefing on Police restructuring held at Robert Smyth Academy

28 January he had attended Leicester and Leicestershire Safer Communities meeting

29 January he had attended the Police and Crime Panel

Cllr King announced that:

He had attended along with Cllr Hallam a site meeting with English Heritage and NHS property services exploring various issues

The Leicestershire and Leicester Logistics study was now in the public domain and available on the Council's website

Cllr Hallam announced that

28 January He had attended the Annual Parish Liaison meeting . over 150 people had attended and the feedback from those attending had been excellent he thanked officers for their organisation of the event

Cllr Dann announced that

On 4 March he had chaired The Member Development Panel which had developed an Induction Programme for 2015 Comments on the draft were requested prior to formal submission to the Executive. He had also attended a Revenues and Benefits meeting on budget issues

Cllr Pain announced that he had attended the following meetings:

2 December LGA Culture, Tourism & Sport Board meeting

8 December Promotional campaign for Spark Harborough District Initiative @ HIC

16 December Movember Charity Cheque handover

28 January Annual Parish Liaison Meeting

### 363 INFORMATION EXCHANGE

- i) Cllr Bremner informed the meeting that he had been selected as the Conservative mayoral candidate for Leicester City .Following the nomination he would remain a district Councillor and continue as a member of the Executive
- ii) Cllr Liquorish informed the meeting that the new police structure had come into force that day
- iii) Cllr King informed the meeting that the interviews for the Head of Planning post had been completed and the appointment of the successful candidate was expected to be confirmed shortly

### 364 QUESTION

A question had been received from Cllr Graves to the Leader of the Executive

"I have been informed that only 3 Elected Members responded to the request from Democratic Services to attend Equality and Diversity training. I confirmed I could attend. I was not aware that the session had been cancelled until 4:30pm on the day itself when I was about to attend the event.

Please could the Leader provide an insight into:

- a) the extremely poor response from elected members, and
- b) why, at short notice (2 working days) the 3 confirmed attendees were not telephoned to ENSURE they received the cancellation message?"

### Response by the Leader

Councillor Graves is correct that the response to the equality /anti-fraud and corruption training was poor, with only a handful of members responding either to give apologies or to confirm attendance. It is accepted that members are extremely busy and can have multiple commitments on any given day. The Council will continue to schedule, for the benefit of members, a programme of training and development opportunities throughout the year.

There is no record of an apology or confirmation of attendance from Cllr Graves in this case. If he wishes to refute this he will need to provide the necessary evidence as there is no record on the Council systems. I understand that Cllr Graves picked up his email prior to setting off for the training on the day of the training.

All Councillors were emailed on the 22nd January 2015 to advise them that the training on the 26th January 2015 had been cancelled.

With regard to the Questions posed by Cllr Graves:

- 1) I am unable to provide an insight into the poor response from elected members to the invitation to this training as very few apologies were submitted
- 2) Members were emailed about the cancellation of the training. Those Councillors who had confirmed attendance at the training are Councillors who regularly check their email and officers were confident that they would pick up the cancellation email at some point in the forthcoming days before the training. This training event was not specific to any one member and their ward area and as such it was not considered that there was an urgent need to contact a specific member about the cancellation.

### 365 MINUTES

RESOLVED that the minutes of the meeting of the Executive held on 12 January 2015 be approved as a correct record.

### 366 DECLARATION OF MEMBERS' INTERESTS

Cllr Pain declared a personal and pecuniary interest in the item on Payment of recycling credits by Leicestershire County Council Cllr Pain is the lead cabinet member for Waste Management at Leicestershire County Council. Cllr Pain left the meeting for consideration of this item.

Cllr Liquorish also declared that he was a member of Leicestershire County Council

Cllr King , Deputy Leader in the Chair

### 367 SECTION 100A LOCAL GOVERNMENT ACT 1972

RESOLVED that, except for those Members present not being Members of this Executive, the public and press be excluded from the following item on the grounds that the matters yet to be discussed involve the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972

### 368 PAYMENT OF RECYCLING CREDITS BY LEICESTERSHIRE COUNTY COUNCIL

Members considered the proposals put forward by Leicestershire County Council in its capacity as Waste Disposal Authority for the removal of payment of recycling credits for green waste .In addition the Executive examined the implications for the future payment of recycling credits for dry recyclates.

RESOLVED that the proposals be noted and the Head of Legal and Democratic Services be asked to raise with the County Council issues relating to

- i) the discrepancy in notice of termination of the agreement and whether the term of notice is reasonable
- ii) the requirement of the Council to indemnify the County Council against costs incurred by the County Council terminating the agreement

#### Summary of Reasons

Leicestershire County Council have submitted proposals for the future payment of green waste recycling credits and dry recyclates. The current arrangements are contained within a local agreement negotiated in 2006. Leicestershire County Council have put forward proposals to terminate the 2006 Arrangement and to cease paying green waste recycling credits from 1 April 2015 and all other recycling credits to be calculated in accordance with the Environmental Protection (Waste Recycling Payments) Regulations 2006. The District Council needs to consider the proposals as part of the budget setting process for 2015/16.

The Executive resumed in public session

Cllr Pain in the Chair

### 369 CORPORATE PLAN AND CORPORATE DELIVERY PLAN 2015-2016

The Executive noted the the Corporate Delivery Plan which identified high-level Expected Outcomes of the Key Activities, which would add depth to what the Critical Outcomes will mean for communities in the District. It also contains the headline Performance Indicators and Risks connected to these Key Activities.

It was reported that the number of Key Activities proposed in the 2015/16 Corporate Delivery Plan i currently around 51 – 26 fewer than in the 2014/15 Corporate Delivery Plan.

At its Meeting on 22 January 2015, the Resource and Performance Scrutiny Panel considered the proposals and no comments were raised on either the draft Corporate Plan for the 2015/16 year or the draft Corporate Delivery Plan for the 2015/16 year.

RECOMMENDED to Council that the draft Corporate Plan for the 2015/16 year and the draft Corporate Delivery Plan for the 2015/16 year, as set out at Appendices A and B to the report be approved.

### Summary of Reasons

The Corporate Plan and Corporate Delivery Plan are documents which outline the Council's Vision, Priorities, Critical Outcomes and associated Key Activities.

Both of the documents are underpinned by the Council's vision, which is:

"Working with communities in a vibrant, safe and prosperous District."

Four priorities have been identified for the 2015/16 year. Both the Corporate Plan and the Corporate Delivery Plan are structured around the delivery of these four priorities:

- Working with communities to develop places in which to live and be happy.
- Provide public services which are effective and deliver value for money.
- Encourage a vibrant and sustainable business community intent on prosperity, employment and learning opportunities.
- Support the vulnerable in the communities where they live.

The Corporate Plan for the 2015/16 year is the overarching public document which sets out the Council's vision for the District, its ambitions and priorities and how it will work with its partners and the community to ensure that living in, working in, and visiting the District is the best possible experience. It is based on information about the area and customer feedback and identifies how the Council will achieve its long-term vision.

The Corporate Delivery Plan 2015-16 is the Council's annual high-level plan that sets out how it will deliver its vision and priorities through Critical Outcomes and Key Activities during the forthcoming financial year. There should be a clear 'golden thread' that links these two documents.

### 370 GENERAL FUND BUDGET AND CAPITAL PROGRAMME

The Executive considered the 2015/2016 budget and capital programme . Whilst it was evident that the Council had benefitted from both housing and business growth it also received the lowest level of core Government funding in Leicestershire. The budget had been achieved against this background. A public consultation on the budget had been carried out and the results were presented to the Executive. Scrutiny consultation had been carried out at the end of January

The draft budget is prepared against continued reduction in central Government funding as the Government addresses the public sector deficit. The reduction in central Government funding was broadly as forecast in the 2014/15 Two Year RSG Announcement. However, the Autumn Statement and the Office of Budget Responsibility forecasts make it clear that there will be significant reductions in public sector finances over the next parliament. There is also volatility arising from the end of the current five year parliamentary cycle in 2015 with a further Comprehensive Spending review expected later in 2015. There is consensus among all political parties and political commentators that nationally the Country is only 40-50% towards addressing the structural UK deficit and that the incidence of national reductions will continue to fall upon Local Government over the next parliament.

The Council is and will be increasingly reliant on funding sources arising from growth (New Homes Bonus and Business Rates) alongside opportunities for income generation. The Council has been to date very successful in delivering proportionate Housing and Business Growth with the retained business rate growth being the highest in Leicestershire in 2013/14 (£903K retained by

Harborough) and an additional New Homes Bonus receipt in 2015/16 of £543K through the addition of 409 New Homes, bringing 4 Empty Homes back into use, and 64 Affordable Housing units. The receipt of these funding sources have and continue to mitigate against the reduction in Central Government funding and will in the future remain a critical component of the Council's budget and financial strategy going forward.

The Council estimated budget requirement in 2015/2016 was £11.924 million. This was based on estimated expenditure of £33.010 million and income including Government grants of £21.086 million

With regard to the capital programme, for the next four years it refocused the Council's capital investment from the major refurbishment projects of The Symington Building and the Market Hall to the Council's priorities of business growth, vibrant communities and housing. To facilitate this the Council planned to use its land holding and prudential borrowing powers to bring forward plans for low cost and affordable housing on three retained Garage Sites in Market Harborough, Great Glen and Lubenham.

The Council also intended to develop 'shovel ready schemes' to secure funding from the LLEP in relation to 2 of the key priorities within the District Growth Plan, these being:

(a) Business Move on Space: The Harborough Innovation Centre was currently at 95% occupancy. It was essential that businesses can grow and 'graduate' from the Innovation Centre. It was proposed that the Council develop a scheme (possibly with a private sector partner) to provide new and flexible business grow on space.

(b) Market Town Centres: Investment in respect of town centre infrastructure, transport and public realm space to maintain and develop vibrant retail and tourism offer.

The shovel ready schemes will be designed to maximise LLEP or private sector investment. The Capital Programme provides for £200K from the Council funds to bring these schemes to bid and/or development stage. If these schemes were not eventually to progress the costs of feasibility and design work would have to be charged to Revenue. A target of £4 million external funding is included in the programme. Any further call on Council resources to deliver this ambition would be subject to a separate business case.

The Capital Programme also proposed an increase in the support for Disabled Facilities Grant from £256K to £300K per year. This additional approval is anticipated to enable approximately 10 additional grants to be awarded each year.

The Capital Programme also provided for planned maintenance of the Council's assets. Investment proposed in the next four years includes improvement in access within The Symington Building, roof replacement, improvements in the Market Hall heating and air conditioning.

The indicative Capital Programme for the next four years totalled £10.028 million with the funding assumption that £7.918 million of external funding and/or capital receipts will reduce the need for unsupported borrowing over this period.

With regard to Business rates, in the recent Autumn Statement the Government has announced a review of business rates to report back in time for the 2016/17 financial year. This therefore places increased uncertainty in respect of the retention of business rate growth funding stream.

The Council continues to adopt a prudent approach to the utilisation of this funding source, utilising already banked business rate growth only as part of its budget strategy.

The Council plans to utilise £206K of the banked business rate growth from 2013/14 to target in 2015/16 the development of small and medium enterprises and the skills agenda through the provision of business support initiatives and support for apprenticeships. The Council will also promote apprenticeships itself through this funding. This is for one year initially to establish need and demand with a view to committing to the recycling of the benefits of business growth in the medium term through this reserve to generate further business rate growth.

With regard to fees and charges the Executive proposed no increase in fees and charges other than those statutorily required.

The Council's Section 151 officer had provided an assurance statement which concluded, 'In my opinion, the estimates are sufficiently robust to allow the Council to set the revenue budget, capital programme and council tax for 2015/16. The budget strategy and level of reserves provides a sound basis for balancing the budget in future years.'

The Leader thanked the Portfolio holder, Section 151 officer and staff for their input

RESOLVED that

- i) the 2015/16 General Fund Revenue Account Net Expenditure Budget of £11,924,194 be approved as set out in Appendix A to the report, for recommendation to Council on the 23rd February 2015, resulting in no increase in the District Band D Council Tax for 2015/16
- ii) authority be delegated to the S151 Officer in consultation with the Leader and Portfolio Holder for Finance, Assets and Development to make any necessary amendments to the Budget, following receipt of the final local government settlement, prior to consideration by full Council
- iii) the General Fund Budget be recommended to Council as set out in Appendix A to the report
- iv) the Capital Programme be recommended to Council as set out in Appendix D to the report
- v) the tolerance level for the Capital Programme be recommended to Council as set out in paragraph 4.7.8 of the report
- vi) the fees and charges be recommended to Council as set out in Appendix F to the report
- vii) it be recommended to Council that authority be delegated to the S151 Officer in consultation with the Portfolio Holder for Finance Assets and Development to agree new fees and charges during the year and agree changes to fees and charges where required

#### Summary of Reasons

The Council must statutorily set a balanced budget to discharge its duties and responsibilities by the 11th March. The duty to recommend a budget to the Council rests with the Executive.

#### 371 PERFORMANCE MANAGEMENT FRAMEWORK

It was reported that the original Performance Management framework was approved by the Executive on 14th January 2013, and implemented on 1st April 2013. The latest version of the Performance Management Framework was approved by the Executive on 10th February 2014.

The framework is subject to annual review, to ensure that it remains up to date and that performance processes are regularly scrutinised.

No changes are proposed to the Performance Management Framework at this time since it remains fit for purpose and accurately reflects the Council's approach to performance management.

RESOLVED that the Harborough District Council Performance Management Framework as set out at Appendix A to the report be agreed.

#### Summary of Reasons

The Performance Management Framework is subject to review on an annual basis to ensure it remains appropriate to Council needs and requirements.

#### 372 NOTES FROM EXECUTIVE ADVISORY PANELS

The Executive received the notes of Executive Advisory Panels.

RESOLVED that: the records of the following meetings held by Executive Advisory Panels be noted:

- Member Development Executive Advisory Panel 18 November 2014
- Local Planning Executive Advisory Panel: 17 December 2014

### Summary of Reasons

The arrangements for the Executive Advisory Panels require that they report back to Executive with notes of their meetings.

### 373 DEVERDON ROAD ALLOTMENTS LUTTERWORTH

The current lease was signed on 3rd September 2010 between Harborough District Council and Lutterworth Town Council. This lease covers a period of six years to expire on 29th September 2015.

Following discussions in September 2012 about the future of the allotments beyond the lease expiry date of 29 September 2015, Lutterworth Town Council produced a document which highlighted the history of the allotments, the benefits of the allotments and stated that the Town Council's position was;

That the allotments should remain at the DeVerdon Road site.

The Town Council intended to register the DeVerdon Road Allotments with HDC under the Right to Bid section of the Localism Bill.

Harborough District Council published its Corporate Property Strategy and Asset Register in July 2013. The strategy included the vision:

“To enhance Harborough’s public service through effective property management”

This long-term vision for the property estate is to provide land and property to enable the Council to deliver its priorities. Within the strategy the following objective was defined:

- The Council will make effective and efficient use of property holdings in line with the Council's key objectives and targets.

Cllr Mrs Robinson addressed the Executive ,she considered that the 1 year lease proposed left allotment holders in a difficult position with produce and the growing season and also the dismantling of greenhouses and sheds She requested that the allotment holders be given 2 years to find a site and 2 years to move to a new site.

Cllr Ackerley also addressed the Executive . She stated that the Town Council would prefer to keep the allotment site however they were realistic about the value of the site There was a real prospect of alternative allotment provision and section 106 agreement could identify such provision. The suggested 12 month lease was not realistic , four years would be a better timescale. By both Councils working together the prospect of the allotment being left derelict for a long period of time could be avoided. Both Councils working together could produce a positive outcome for everybody

The Executive considered the issue of four years notice and whether it was too long a period of notice and an example was given of another new allotment site which had been set up quickly within a year

The Leader suggested that having listened to the Councillors' representations that a 2 year notice be given ,this length of time would give Lutterworth Town Council time to pursue other options and for Harborough District Council to develop plans for the site. This extension of time would go some way to alleviating the concerns of the allotment holders , and give Lutterworth Town Council chance to progress the issue of a new site

RESOLVED that:

- i) In order to provide an opportunity for a further report to be prepared to consider future options of the site, the grant of a new 2 year lease, be granted subject to;

- no new allotment holder agreements being permitted;
  - agreement on Rent (subject to valuation) and other terms; and
  - Lutterworth Town Council agreeing to reimburse Harborough District Council, the fees incurred with the new lease including, but not limited to, legal and valuation fees.
- ii) Authority be delegated to the Corporate Director – Resources in consultation with the Portfolio Holder for Finance and Assets and Head of Democratic & Legal Services to negotiate and enter in to a new lease and take whatever steps are necessary to implement the decision outlined in i) above.

#### Summary of Reasons

To satisfy the draft Corporate Delivery Plan 2013/14 Objective CA9 “Ensure financial and other assets are maximised and managed efficiently” and to further good asset/property management of the Councils assets.

To provide an opportunity to consider how best to realise the maximum benefits from the asset, by keeping future options open.

The meeting closed at 6.25pm